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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/982,157 12/01/97 REISMAN

R RR3

EXAMINER

LM02/0721

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YUAN, C

ART UNIT

PAPER NUMBER

2782

DATE MAILED:

07/21/99

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.  
**08/982,157**

Applicant(s)  
**Reisman**

Examiner  
**Chien Yuan**

Group Art Unit  
**2782**



☒ Responsive to communication(s) filed on 12/1/97, 3/5/98, 12/23/98, and 4/28/99

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claims

☒ Claim(s) 34-83 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 34-37, 39-42, 44, 47-60, 62-78, 80, and 83 is/are rejected.

☒ Claim(s) 38, 43, 45, 46, 61, 79, 81, and 82 is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been  
☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☒ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 2, 5, 6

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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### DETAILED ACTION

1. Applicant's Preliminary Amendment, filed on 12/1/97, canceled claim 1 and added new claims 34-83. Claims 34-83 are presented for examination.

#### *Claim Objections*

2. Claims 36 and 37 are objected to because of the following informalities: claim 36 appears to be an incomplete claim, as the first line appears to be missing content, and claim 37 depends from claim 36. The dependence of claim 36 is assumed to be on claim 35 and the examination of the objected claims was based upon this assumption. Appropriate correction is required.

#### *Claim Rejections - 35 U.S.C. § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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4. Claims 34-37, 39-42, 44, 47-60, 62-78, 80, and 83 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hill (U.S. Patent No. 5,528,490) in view of Valenti (U.S. Patent No. 4,974,149).

5. Regarding claims 34 and 75, Hill describes a system where a user computer station comprises an automated electronic information transporter ('application software', col. 8, lines 59-61; Fig. 1C) which controls the transport of information objects on a communications network providing access to a remote source computer (abstract, lines 1-3 & 14-16; Fig. 1A).

Additionally, the information transporter comprises a communications software module (col. 8, lines 61-62; Fig. 1C) and transport control means ('data request software', col. 8, lines 61-63; Fig. 1C) to control transport of information objects.

In operation, the user computer sends a request to the remote computer for either install files or support (i.e. update) files. This request also includes a unique identification associated with the user computer and this identification is compared with a validation file stored in the remote computer for verification reasons. Upon proper verification, the remote computer sends the requested information to the user computer, where it is stored in hard disk memory (col. 13, lines 29-45; col. 14, lines 39-55; col. 15, lines 31-44).

Hill, however, does not disclose the limitation of the communications network providing access to multiple remote sources nor the limitation of including both a source address and an object manifest in the transport control means.

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Valenti teaches a system where a data descriptor is sent from one computer system to another computer system (abstract, lines 1-9) in order to provide a description of the data to be sent (col. 3, lines 31-34), the address of its source (col. 3, lines 31-32), and the time at which it is to be sent (col. 4, lines 16-20). This descriptor, as it contains object transport-related specifications, is in essence an object manifest.

Although Valenti initially describes the system as one where a central host system sends a data descriptor to a plurality of remote systems (abstract, lines 6-7), each system can function as a central or a remote system (abstract, lines 9-11; col. 3, lines 47-61). In this manner, the system at any given time may be considered as one where a remote system sends requested information to a user system based on the user system's object manifest.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Hill and Valenti in order to increase versatility in requesting and transmitting information objects between remote systems.

6. Regarding claim 36, official notice is taken by the examiner that the formats listed are all well-known in the art and it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate these formats into the combination of Hill in view of Valenti.

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7. Regarding claim 37, official notice is taken by the examiner that the Internet is well-known in the art and it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate it into the combination of Hill in view of Valenti.

8. Regarding claims 39-41, 47, and 76-78, the limitation of transporting data from the remote source to the user system based upon the transport-related specifications included in the object manifest is additionally shown by Hill in view of Valenti (col. 3, lines 31-38).

9. Regarding claim 49, the selection of a 'containing information product' from the listed products is a matter of engineering design choice and, therefore, not patentably distinct.

10. Regarding claims 50 and 51, the selection of a function from the listed database functions and the selection of the presentation format from the listed formats are both a matter of engineering design choice and, there, not patentably distinct.

***Allowable Subject Matter***

11. Claims 38, 43, 45, 46, 61, 79, 81, and 82 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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***Conclusion***

12. The references Hill and Valenti have not been listed in the accompanying Notices of References cited as they were included in the applicant's own Supplemental Information Disclosure Statement filed on 4/28/99.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chien Yuan whose telephone number is (703) 308-8486. The examiner can normally be reached on Monday-Friday from 7:30 a.m. to 4 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Lee, can be reached on (703) 305-9717. The fax phone number for the organization where this application or proceeding is assigned is (703) 306-5404.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-9600.

CHY

July 15, 1999

  
THOMAS C. LEE  
SUPERVISORY PATENT EXAMINER  
GROUP 2700

# NOTICE OF DRAFTPERSON'S PATENT DRAWING REVIEW

The drawing filed (insert date) 12/1/97 are:

- A. 1 not objected to by the Draftperson under 37 CFR 1.84 or 1.152.
- B. 1 objected to by the Draftperson under 37 CFR 1.84 or 1.152 as indicated below. The Examiner will require submission of new, corrected drawings when necessary. Corrected drawings must be submitted according to the instructions on the back of this notice.

## 1. DRAWINGS. 37 CFR 1.84(a): Acceptable categories of drawings: Black ink. Color.

- Color drawing are not acceptable until petition is granted.  
Fig.(s)         
       Pencil and non black ink is not permitted. Fig(s)

## 2. PHOTOGRAPHS. 37 CFR 1.84(b)

- Photographs are not acceptable until petition is granted.  
       3 full-tone sets are required. Fig(s)         
       Photographs not properly mounted (must bristol board or photographic double-weight paper). Fig(s)         
       Poor quality (half-tone). Fig(s)

## 3. TYPE OF PAPER. 37 CFR 1.84(e)

- Paper not flexible, strong, white and durable.  
Fig.(s)         
       Erasures, alterations, overwritings, interlineations, folds, copy machine marks not acceptable. (too thin)  
       Mylar, vellum paper is not acceptable (too thin).  
Fig(s)

## 4. SIZE OF PAPER. 37 CFR 1.84(f): Acceptable sizes:

- 21.0 cm by 29.7 cm (DIN size A4)  
       21.6 cm by 27.9 cm (8 1/2 x 11 inches)  
       All drawings sheets not the same size.  
Sheet(s)

## 5. MARGINS. 37 CFR 1.84(g): Acceptable margins:

- Top 2.5 cm Left 2.5 cm Right 1.5 cm Bottom 1.0 cm  
SIZE: A4 Size  
       Top 2.5 cm Left 2.5 cm Right 1.5 cm Bottom 1.0 cm  
SIZE: 8 1/2 x 11  
       Margins not acceptable. Fig(s)         
       Top (T)        Left (L)  
       Right (R)        Bottom (B)

## 6. VIEWS. 37 CFR 1.84(h)

- REMINER: Specification may require revision to correspond to drawing changes.
- Views connected by projection lines or lead lines.  
Fig.(s)
- Partial views. 37 CFR 1.84(h)(2)
- Brackets needed to show figure as one entity.  
Fig.(s)
- Views not labeled separately or properly.  
Fig.(s)
- Enlarged view not labeled separately or properly.  
Fig.(s)

## 7. SECTIONAL VIEWS. 37 CFR 1.84(h)(3)

- Hatching not indicated for sectional portions of an object.  
Fig.(s)         
       Sectional designation should be noted with Arabic or Roman numbers. Fig.(s)

## 8. ARRANGEMENT OF VIEWS. 37 CFR 1.84(i)

- Words do not appear on a horizontal, left-to-right fashion when page is either upright or turned, so that the top becomes the right side, except for graphs. Fig.(s)         
       Views not on the same plane on drawing sheet. Fig.(s)

## 9. SCALE. 37 CFR 1.84(k)

- Scale not large enough to show mechanism without crowding when drawing is reduced in size to two-thirds in reproduction.  
Fig.(s)

## 10. CHARACTER OF LINES, NUMBERS, & LETTERS. 37 CFR 1.84(l)

- Lines, numbers & letters not uniformly thick and well defined, clean, durable and black (poor line quality).  
Fig.(s)

## 11. SHADING. 37 CFR 1.84(m)

- Solid black areas pale. Fig.(s)         
       Solid black shading not permitted. Fig.(s)         
       Shade lines, pale, rough and blurred. Fig.(s)

## 12. NUMBERS, LETTERS, & REFERENCE CHARACTERS. 37 CFR 1.48(p)

- Numbers and reference characters not plain and legible.  
Fig.(s)         
       Figure legends are poor. Fig.(s)         
       Numbers and reference characters not oriented in the same direction as the view. 37 CFR 1.84(p)(3) Fig.(s)         
       English alphabet not used. 37 CFR 1.84(p)(3) Fig.(s)         
       Numbers, letters and reference characters must be at least .32 cm (1/8 inch) in height. 37 CFR 1.84(p)(3) Fig.(s) 1,2,4

## 13. LEAD LINES. 37 CFR 1.84(q)

- Lead lines cross each other. Fig.(s)         
       Lead lines missing. Fig.(s)

## 14. NUMBERING OF SHEETS OF DRAWINGS. 37 CFR 1.48(t)

- Sheets not numbered consecutively, and in Arabic numerals beginning with number 1. Fig.(s)

## 15. NUMBERING OF VIEWS. 37 CFR 1.84(u)

- Views not numbered consecutively, and in Arabic numerals, beginning with number 1. Fig.(s)

## 16. CORRECTIONS. 37 CFR 1.84(w)

- Corrections not made from PTO-948 dated

## 17. DESIGN DRAWINGS. 37 CFR 1.152

- Surface shading shown not appropriate. Fig.(s)         
       Solid black shading not used for color contrast.  
Fig.(s)

## COMMENTS

REVIEWER       

DATE 3/19/98

TELEPHONE NO.       

ATTACHMENT TO PAPER NO. 8

PTO COPY